

Message Text

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17

ACTION EB-11

INFO OCT-01 ARA-16 EUR-25 NEA-14 IO-14 ISO-00 AF-10 EA-11

RSC-01 FRB-03 OMB-01 TAR-02 SP-03 SWF-02 AGR-20

AID-20 CIAE-00 COME-00 INR-11 LAB-06 NSAE-00 OIC-04

SIL-01 STR-08 TRSE-00 CIEP-03 CEA-02 L-03 SS-20 NSC-07

FEA-02 SCI-06 EPA-04 SSO-00 NSCE-00 INRE-00 DRC-01

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O R 090730Z SEPT 74

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 8110

INFO AMEMBASSY MEXICO

AMEMBASSY NEW DELHI

USMISSION USUN NEWYORK

USMISSION OECD PARIS

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DEPARTMENT PASS TREASURY FOR BRADFIELD

E.O. 11652: N/A

TAGS: EGEN UNCTAD

SUBJECT: UNCTAD TDB XIV: CHARTER OF ECONOMIC RIGHTS AND DUTIES

REF: STATE 196467

1. AS INDICATED IN SEPTTEL, RESULTS OF WEEK'S INTENSIVE
NEGOTIATIONS IS SLIGHT, FOR KEY ISSUES OF NATIONALIZATION
HAVE NOT BEEN RESOLVED AND THOSE OF NON-DISCRIMINATION
NOT EVEN ENGAGED (DESPITE ADOPTED AGENDA). GROUP OF 77
HAS MANIFESTED ITS REJECTION OF THE BULK OF THE
BRILLANTES FORMULA. IT WHOLLY REFUSED ANY PROVISION
ON RESPECT FOR INVESTMENT AGREEMENTS; IT REJECTS JUST
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COMPENSATION OR ANY STANDARD APPROACHING IT; ON THE MATTER OF A REFERENCE TO "INTERNATIONAL OBLIGATIONS," HOWEVER, IT HAS MANIFESTED, AFTER MUCH POUNDING, SOME MALLEABILITY. IN ALL, THE RESULT IS DISCOURAGING.

2. IT REMAINS UNCLEAR WHETHER MEXICO WILL PERSIST IN WHAT IT SAYS IS ITS PRESENT INTENTION OF BRINGING THE CHARTER TO A VOTE IN THE IMPENDING SESSION OF GA, IF FURTHER CONSULTATIONS TO TAKE PLACE JUST BEFORE ITEM IS CONSIDERED IN GA DO NOT RESOLVE OUTSTANDING ISSUES.

3. IF THERE IS A VOTE, IT ALSO REMAINS UNCLEAR WHAT EC AND JAPAN WILL DO. THEY HAVE TAKEN ON SOME ISSUES, NOTABLY THOSE OF NATIONALIZATION, A HARDER LINE THAN USDEL. AT SAME TIME, THEY PROFESS TO HAVE NO CERTAINTY ABOUT HOW THEY SHOULD VOTE. CHOLLET (FRANCE) TOLD USDEL THAT HE BELIEVES FRANCE WOULD VOTE AGAINST GROUP OF 77 VERSION OF ARTICLE 2 ON NATIONALIZATION, AND ABSTAIN ON CHARTER AS A WHOLE, ON THE ASSUMPTION USG WOULD DO LIKEWISE. WHEN ASKED WHY HE SO ASSUMED, HE REPLIED THAT HE DOUBTED USG WOULD BOTE AGAINST BECAUSE OF ITS RELATIONS WITH MEXICO. WE STATED THAT ISSUE WAS QUITE UNDECIDED, BUT THAT, JUST AS FRANCE WOULD WEIGH WHAT USG WOULD DO SO WOULD USG WEIGH HOW FRANCE AND OTHER FRIENDS SUCH AS FRG, UK AND JAPAN WOULD VOTE. CHOLLET THEN RESPONDED THAT, IF USG WOULD VOTE AGAINST, HE BELEIVED FRANCE PROBABLY WOULD; HE NOTED THAT QUAI LEGAL ADVISER FAVORS A NEGATIVE NOTE. CHOLLET REMARKED THAT HE THOUGHT EC HAD BEHAVED BADLY IN FAILING TO VOTE NEGATIVELY ALONG WITH USG ON OMNIBUS RESOLUTION IN ECOSOC AND THAT HE WAS TAKING A FIRM LINE ON FURTHER RESOLUTION IMPLEMENTING THE PROGRAM OF ACTION IN TDB.
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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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NEW DELHI
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